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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

**Title of Invention** MRE11: MODULATION OF CELLULAR PROLIFERATION

As the below named inventor(s), I/we declare that:

This declaration is directed to:



The attached application, or

Application No. 10/026,331 filed on December 21, 2001

☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor 1 Yasumichi Hitoshi Date: 5/30/02

Signature: [Signature] Citizen of: Japan

Inventor 2 Susan Demo Date: 6/11/02

Signature: [Signature] Citizen of: United States

Inventor 3 Yonchu Jenkins Date: 5/30/02

Signature: Yonchu Jenkins Citizen of: United States

Inventor 4 \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
SF 1349000 v1

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ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Yasumichi Hitoshi of 672 Chiquita Avenue, #4, Mountain View, CA 94041; Susan Demo of 999 Pocatello Avenue, Sunnyvale, CA 94087; Yonchu Jenkins of 1279 Page Street, San Francisco, CA 94117; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: MRE11: MODULATION OF CELLULAR  
PROLIFERATION

Date(s) of execution of Declaration:

Filing Date: December 21, 2001

Application No.: 10/026,331; and

WHEREAS, Rigel Pharmaceuticals, Incorporated, a corporation of the state of Delaware, located at 240 East Grand Avenue, South San Francisco, CA, 94080, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

*Exhibit to 3.73(b) only -  
not for recordation*

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 5/30/02

Yasumichi Hitoshi  
Yasumichi Hitoshi

STATE OF CALIFORNIA )  
COUNTY OF San Mateo }

ss.

On May 30, 2002, before me, Rebecca Cazares, personally appeared Yasumichi Hitoshi, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Rebecca Cazares  
NOTARY PUBLIC

My Commission Expires: 1/17/2004

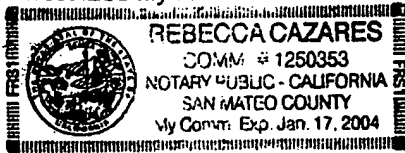
Dated: 6/11/02

Susan Demo  
Susan Demo

STATE OF CALIFORNIA )  
COUNTY OF San Mateo ) SS.

On June 11, 2002, before me, Rebecca Cazares,  
personally appeared Susan Demo, personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me  
that ~~he~~/she executed the same in ~~his~~/her authorized capacity, and that by ~~his~~/her signature on the instrument the  
person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Rebecca Cazares  
NOTARY PUBLIC

My Commission Expires: 1/17/2002

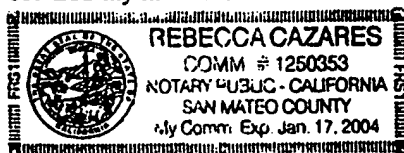
Dated: 5/30/02

Yonchu Jenkins  
Yonchu Jenkins

STATE OF CALIFORNIA )  
COUNTY OF San Mateo ) SS.

On May 30, 2002, before me, Rebecca Cazares,  
personally appeared Yonchu Jenkins, personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me  
that ~~he~~/she executed the same in ~~his~~/her authorized capacity, and that by ~~his~~/her signature on the instrument the  
person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Rebecca Cazares  
NOTARY PUBLIC

My Commission Expires: 1/17/2002